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Atty. Docket: 76891

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jeffrey L.C. Wright

Serial No .:

09/385,834

Filed:

August 30, 1999

For:

A NUTRITIONAL SUPPLEMEN

FOR LOWERING SERUM

TRIGLYCERIDE AND

CHOLESTEROL LEVEL

Group No.:

Examiner:

Sabiha Naim Qazi

I hereby certify that this correspondence is being facsimile transmitted to Facsimile No. 703-872-9310 to: Box AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450, on:

October 15, 2003

Gerald T. Shekleton Reg. No. 27,466

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF Commissioner for Patents P.O. Box 1450. Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated July 16, 2003, of the Primary Examiner finally rejecting claims 1, 5-11, 34 and 39.

A check is the amount of \$330.00 is enclosed to cover the fees associated with the filing of this Notice of Appeal submitted herewith. If, however, this check is inadvertently omitted or is otherwise insufficient, the Commissioner is authorized to charge any additional fees which may be required (except payment of the issue fee) to Deposit Account No. 23-0920.

Dated: October 15, 2003

10/21/2003 HDEMESS1 00000084 09385834

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330.00 DP

WELSH & KATZ, LTD. 120 South Riverside Plaza 22nd Floor Chicago, Illinois 60606-3913 Telephone: 312/655-1500

Gerald T. Shekleton,

Attorney or Agent of Record Registration No. 27,466